

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

**CLAUDE LOWERY,
Plaintiff,**

v.

Case No. 08C1018

**THOMAS RUBENZER,
Defendant.**

DECISION AND ORDER

On November 26, 2008, plaintiff Claude Lowery filed this action pursuant to 42 U.S.C. § 1983 against defendant Thomas Rubenzer, alleging that defendant unlawfully deprived plaintiff of work opportunities in violation of plaintiff's rights under the Equal Protection Clause. On March 16, 2009, defendant filed a motion to dismiss the action against him based on several grounds. Plaintiff failed to respond to defendant's motion. Thus, on June 12, 2009, I notified plaintiff in a letter that if he did not file a response to defendant's motion on or before July 6, 2009, I would dismiss his action with prejudice pursuant to Civil Local Rule 41.3 (E.D. Wis.) and Fed. R. Civ. P. 41(b). Plaintiff failed to file a response by July 6, 2009, or contact the court in any other way, and I will therefore dismiss this case with prejudice in accordance with my June 12, 2009 letter.

IT IS THEREFORE ORDERED that this action is **DISMISSED** with prejudice for failure to prosecute.

Dated at Milwaukee, Wisconsin this 21 day of July, 2009.

/s

LYNN ADELMAN
District Judge